

## **Remarks**

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

### ***Double Patenting***

Claims 1, 26, 27, 37, 38 and 45-48 were rejected on the grounds of obviousness-type double patenting in view of U.S. Patent No. 5,717,422. Claims 1, 26, 27 and 45-48 have been canceled without prejudice or disclaimer of the subject matter contained therein, thereby rendering moot the rejection of these claims.

The Office Action does not address claim 37 or 38 in sufficient detail to establish an obviousness-type double patenting rejection. For at least this reason, the rejection should be withdrawn. Further, the '422 patent has not been found to include a claim that would support an obviousness-type double patenting rejection of claim 37 or claim 38.

### ***Claim Rejections - 35 USC § 112***

Claims 17, 47 and 48 were rejected under 35 USC § 112, 2<sup>nd</sup> ¶. Claims 17, 47 and 48 have been canceled without prejudice or disclaimer of the subject matter contained therein, thereby rendering moot the rejection.

### ***Claim Rejections - 35 USC § 102 and § 103***

Claim 16, as amended, recites a display system for passive displays, wherein data representing illumination characteristics of an input image or scene has been incorporated in a transfer media, the display system including a control responsive to such data to control the optical characteristics of incident light to a passive display to maximize shades of gray in the displayed image.

Neither Fuller nor Daly has been found to disclose the claimed display system wherein data representing illumination characteristics of an input image or scene has been incorporated in a transfer media and including a control responsive to such data to control the optical characteristics of incident light to a passive display to maximize shades of gray in the displayed image.

Therefore, the anticipation rejections of claim 16 should be withdrawn because neither Fuller nor Daly has been found to the display system arranged as claimed.

Claim 18, as amended, recites a display system for passive displays, wherein data representing illumination characteristics of an input image or scene has been incorporated in a transfer media, the display system including a control responsive to such data to control the optical characteristics of incident light to a passive display to maximize color fidelity.

In rejecting claim 18, the Office Action recognizes that Daly fails to disclose the claimed system including a control responsive to such data to control the optical characteristics of incident light to a passive display to maximize color fidelity, however, the Office Action states that the system of claim 18 is simply a matter of design choice. At page 11, the Office Action states that "it would have been a matter of design choice to adjust the operation of the display to produce a desired level of color fidelity. This could be optimized or maximized color fidelity based on the choices made during production of the display system." However, the claim does not recite choices made during the production of the display system. Rather, the claimed display system includes a control responsive to data representing illumination characteristics of the input image or scene as incorporated in a transfer media. It is respectfully submitted that the rejection should be withdrawn because Daly does not support the rejection.

Claim 19, as amended, recites a system for preparing data for use in displaying a sequence of images. The system includes an input to receive image information for use in operating a light modulating display to provide a sequence of images, and an analyzer to analyze illumination characteristics of a number of images of such a sequence of images to obtain light control information for use in controlling optical characteristics of the incident light to a light modulating display and gamma so as to maximize shades of gray of displayed images.

Daly has not been found to disclose or suggest the claimed system including an analyzer to analyze illumination characteristics of a number of images of such a sequence of images to obtain light control information for use in controlling optical characteristics of the incident light to a light modulating display and gamma so as to maximize shades of gray of displayed images. While the Office Action points to paragraphs [0025] and [0026], it is respectfully submitted that these portions of Daly do not support the rejection. Therefore, the rejection of claim 19 and dependent claims 20-23 should be withdrawn.

Claim 24, as amended, recites a display system that includes a passive display, a source of illumination to illuminate the passive display and cooperative with the passive display to present images, and a transfer medium providing data to control optical characteristics of light from the source of illumination and gamma u by the passive display, and wherein the data is based on an evaluation of illumination of an input scene represented by an image for display.

Daly has not been found to disclose or suggest the claimed system including a transfer medium providing data to control optical characteristics of light from the source of illumination and gamma to maximize the number and/or shades of gray in respective displayed images by the passive display, and wherein the data is based on an evaluation of illumination of an input scene represented by an image for display. For at least this reason, the rejection of claim 24 and dependent claim 25 should be withdrawn.

Claim 36, as amended, recites a system for providing image data for display by an illuminated passive display that includes an image obtaining device to provide image data representing input scenes, and an apparatus to evaluate the illumination of input scenes to provide illumination data to control the optical characteristics of an illumination source for a passive display, and wherein the illumination data controls optical characteristics of an illumination source to maximize contrast or shades of gray in an image displayed by the illuminated passive display.

Daly has not been found to disclose the recited apparatus to evaluate the illumination of input scenes to provide illumination data to control the optical characteristics of an illumination source for a passive display, wherein the illumination data controls optical characteristics of an illumination source to maximize contrast or shades of gray in an image displayed by the illuminated passive display.

Therefore, the anticipation rejection of claim 36 should be withdrawn.

Claim 37 recites a method of editing images, which are composed of an assemblage of pixels for display or projection using a passive display to which input light is incident to provide images, that includes adjusting a characteristic of the input light to obtain a desired appearance of the displayed image, and storing the adjusted characteristic for use subsequently to adjust the characteristic of input light to obtain a desired appearance of the image provided by a passive display.

Neither Fuller nor Daly has been found to disclose the claimed method of editing images including the combination of adjusting a characteristic of the input light to obtain a desired appearance of the displayed image and storing the adjusted characteristic for use subsequently to adjust the characteristic of input light to obtain a desired appearance of the image provided by a passive display.

While the Office Action points to paragraph [0068] of Fuller and paragraph [0035] of Daly for disclosure of storing the adjusted characteristic for use subsequently, these portions of Fuller and Daly have not been found to support the rejection.

Because Neither Daly nor Fuller have been found to include each element of the claimed method, the anticipation rejections of claim 37 should be withdrawn. Dependent claims 38-42 should be allowable for at least these reasons as well.

Claim 44 recites a method of reducing the amount of data required to provide images from a source to a receiver for display or projection via a passive display and light source that includes separating intensity data from image data representing an image for display to obtain reduced image data and intensity data, and separately providing (a) the image data excluding the intensity data and (b) the intensity data to control the display and the light source, respectively.

Neither Fuller nor Daly have been found to disclose the claimed method including separately providing image data excluding intensity data and the intensity data to control the display and the light source.

Because neither Daly nor Fuller disclose all elements as arranged in claim 44, the anticipation rejections should be withdrawn.

The dependent claims, while reciting further features, are not being independently discussed in as much as they are allowable for at least the same reasons as the independent claims from which they depend. This absence of any comment regarding the dependent claims, however, should not be construed as an acquiescence to the contentions made in the Office Action.

***Telephone Interview***

If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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